

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Case No. 7:23-cv-897

IN RE:	)	
	)	
CAMP LEJEUNE WATER LITIGATION	)	<b>[UNITED STATES' REVISED PROPOSED]</b>
	)	<b>PRETRIAL SCHEDULING ORDER FOR</b>
This Document Relates To:	)	<b>CERTAIN TRACK 1 TRIAL ISSUES</b>
ALL CASES	)	
	)	

The Court hereby enters the following pretrial schedule to govern expert discovery as well as *Daubert* and dispositive motion briefing in the Track 1 Trial Plaintiff Cases (*see* D.E. 250).

1) Pursuant to the Order entered on July 9, 2024 (D.E. 250), discovery related to the Track 1 Trial Plaintiffs (“Plaintiffs”) closes on August 11, 2024.

2) The Plaintiffs will disclose their experts relating to the “toxic chemical exposure from the water at Camp Lejeune” (the “Water Contamination Phase”) 75 days after the close of fact discovery.

3) The United States will disclose its experts relating to the Water Contamination Phase 45 days after the Plaintiffs disclose their experts relating to the Water Contamination Phase.

4) The Plaintiffs will disclose their rebuttal experts relating to the Water Contamination Phase 21 days after the United States discloses its experts relating to the Water Contamination Phase.

5) The Plaintiffs will disclose their experts relating to “general causation for Track 1 illnesses” (the “General Causation Phase”) 120 days after the close of fact discovery.

6) The United States will disclose its experts relating to the General Causation Phase 45 days after the Plaintiffs disclose their experts relating to the General Causation Phase.

7) The Plaintiffs will disclose their rebuttal experts relating to the General Causation Phase 21 days after the United States discloses its experts relating to General Causation Phase.

8) The Plaintiffs will disclose their experts relating to specific causation, damages, and any other expert discipline not covered by an earlier phase (the “Residual Expert Phase”), 165 days after the close of fact discovery.

9) The United States will disclose its experts relating to the Residual Expert Phase 45 days after the Plaintiffs disclose all of their experts relating to the Residual Expert Phase.

10) The Plaintiffs will disclose their rebuttal experts relating to the Residual Expert Phase 21 days after the United States discloses all of its experts relating to the Residual Expert Phase.

11) Following the expert disclosures relating to each phase, the Parties will have 45 days to complete expert discovery relating that phase.

12) Following the completion of expert discovery relating to each phase, the Parties will have 30 days to serve motions to exclude any experts (“*Daubert* motions”) and motions for summary judgment relating to that phase. The Parties will have 21 days to file oppositions to the motions and 14 days to file replies to the oppositions.

13) The Parties will disclose expert reliance files within 7 days of the initial expert disclosure for that expert.

14) Expert witness depositions will be presumptively limited to 7 hours per expert for these phases absent agreement of the Parties or court order for good cause.

15) Each Party will pay for the time that any opposing Party’s expert spends under oath in deposition, at the same rate paid by the Party that retained the expert; otherwise, the Parties are responsible for the fees of the experts they retain.

SO ORDERED this \_\_\_\_ Day of July, 2024.

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RICHARD E. MYERS II  
Chief United States District Judge

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TERRENCE W. BOYLE  
United States District Judge

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LOUISE W. FLANAGAN  
United States District Judge

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JAMES C. DEVER III  
United States District Judge